

REMARKS

Claims 1-12 have been amended. New claims 13-24 have been added. Claims 1-24 are currently pending in this application. Applicants reserve the right to pursue the original and other claims in this and other applications. Applicants respectfully request reconsideration in light of the above amendments and the following remarks.

The Specification has been amended in accordance with the substitute specification filed herewith. Applicants note that the amendments previously filed on October 5, 2006 have been incorporated into the specification, prior to the additional amendments made herein.

Claims 1-3, 6-9 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Reilly et al. (U.S. Patent No. 5,916,197) ("Reilly"). This rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 1 recites an appliance for water-jet surgery including a "plurality of supply cylinders, each supply cylinder including a piston, a working fluid enclosed therein, and an outlet, wherein the working fluid is enclosed within each supply cylinder in a leak proof manner until it is caused to be expelled, by means of the piston, through the outlet," a "pressure conduit in fluid communication with the outlet of each of the plurality of supply cylinders and into which the working fluid is expelled," "at least one actuation device to actuate the pistons" and a "change-over device to shift the actuation from a first piston corresponding to a first of the plurality of supply cylinders to a next piston corresponding to a next of the plurality of supply cylinders such that the working fluid can be ejected into the pressure conduit from consecutively emptying supply cylinders."

The appliance for water-jet surgery according to the claimed invention includes several supply cylinders that are filled with a working fluid to be used for the operation. In use, the supply cylinders are consecutively emptied to provide the working fluid as needed for the operation. Reilly, on the other hand, relates to an injection system and pump system for use therein for pressurizing a liquid medium for injection into a patient. Reilly, Abstract. Through

reciprocating linear motion of the Reilly pressurizing mechanism, the liquid medium is alternatively drawn into (e.g., from a container) and forced out of the chamber of the pressurizing unit, thereby obtaining the desired pressure. Id.

The Examiner relies on Reilly's pressurizing unit chambers 20 as disclosing the supply cylinders of the claimed invention. Applicants respectfully submit, however, that Reilly does not disclose chambers having a "working fluid enclosed therein ... in a leak proof manner until it is caused to be expelled, by means of the piston, through the outlet." Instead, in Reilly, the fluid merely passes through the chambers to be pressurized.

Accordingly, Applicants submit that claim 1 is allowable over Reilly. Claims 2, 3, 6-9 and 12 depend from claim 1 and are allowable along with claim 1. Applicants respectfully request that the rejection of claims 1-3, 6-9 and 12 be withdrawn and the claims allowed.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Reilly in view of Neracher (U.S. Patent No. 6,994,127) ("Neracher"). This rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 4 depends from claim 1, which is allowable over Reilly for at least the reasons discussed above. Neracher is relied upon as disclosing a "plurality of actuation devices" (Office Action, pg. 3) and does not remedy the deficiencies of Reilly. Accordingly, claim 4, along with claim 1, is allowable over the cited combination. Applicants respectfully request that the rejection of claim 4 be withdrawn and the claim allowed.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Reilly in view of Palmer (U.S. Patent No. 4,820,272) ("Palmer"). This rejection is respectfully traversed and reconsideration is respectfully requested.

Claim 5 depends from claim 1, which is allowable over Reilly for at least the reasons discussed above. Palmer is relied upon as disclosing a "back-flow barrier that prevents the piston from being pushed back into a previous position" (Office Action, pg. 4) and does not

remedy the deficiencies of Reilly. Additionally, Applicants submit that one skilled in the art would not be motivated to combine the sealing rings 25 of Palmer with the chambers 20 of Reilly to stop the pistons from moving backwards in the chamber because in Reilly the operation of the pressurizing device depends on the pistons operating in a reciprocating manner, moving into and out of the chamber in an alternating manner. See, Reilly, col. 5, lines 26-35.

Accordingly, claim 5 is allowable over the cited combination. Applicants respectfully request that the rejection of claim 4 be withdrawn and the claim allowed.

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Reilly in view of McGregor (U.S. Patent No. 5,116,313) ("McGregor"). This rejection is respectfully traversed and reconsideration is respectfully requested.

Claims 10 and 11 depend from claim 1, which is allowable over Reilly for at least the reasons discussed above. McGregor is relied upon as disclosing that "ventilation devices [are] provided between the outlets of the supply cylinders and the conduit" (Office Action, pg. 4) and does not remedy the deficiencies of Reilly. Accordingly, claims 10 and 11, along with claim 1, are allowable over the cited combination. Applicants respectfully request that the rejection of claims 10 and 11 be withdrawn and the claims allowed.

New claims 13-17 depend from claim 1 and thus, are allowable along with claim 1 for at least the reasons discussed above. New claims 18-24 contain similar limitations to and are allowable for at least the reasons discussed above with respect to claims 1-12. Applicants respectfully request the allowance of claims 13-24.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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